

REMARKS

Applicant thanks the Examiner for acknowledging Applicant's claim to foreign priority under 35 U.S.C. § 119(a)-(d), and for confirming that the certified copy of the priority document has been received at the Patent Office in Application No. 08/561,808.

Claim Rejections:

Claims 5-10 are all of the claims that have been examined in the present application, and currently all of these claims stand rejected.

35 U.S.C. § 112, 1st Paragraph Rejection - Claims 5-10:

Claims 5-10 stand rejected under 35 U.S.C. § 112, 1st paragraph as failing to satisfy the written description requirement. In view of the following discussion, Applicant respectfully disagrees.

As shown in the previous section, Applicant has amended the claims, and added new claim 11. Applicant submits that subject matter of the claims, as amended, (along with new claim 11) is sufficiently disclosed in the present application, such that a skilled artisan would recognize that the inventors of the present invention were in possession of the claimed invention, at the time the present application was filed.

Specifically, on page 5 of the present application, Figure 1 is described. In this description, the application states that Figure 1 shows an "audio signal mixer" according to the present invention. Further, the application indicates that the mixer is provided with four compact disk (CD) players (1 through 4). These players are operated "in response" to the microcomputer 5. Further, it is disclosed that the CD players output signals as reproduced signals and the CD players (1 through 4) are respectively coupled to input terminals CH1 through CH4.

Therefore, at least Figure 1, along with its description, disclose a disk player or disk playing system, as set forth in the claims.

Accordingly, Applicant submits that the present application satisfies the “written description” requirement of 35 U.S.C. § 112, 1st paragraph, and hereby requests the Examiner reconsider and withdraw the above rejection.

Double Patenting Rejection - Claims 5-10:

Claims 5-10 stand rejected under the judicially created doctrine of non-statutory obviousness-type double patenting, as being unpatentable over claim 3 of U.S. Patent No. 6,301,365. In view of the following discussion, Applicant respectfully traverses the above rejection.

Claim 3 of the ‘365 patent is directed to the operations of the control means of a mixing apparatus, whereas the claims of the present application are directed to a disk player or a disk playing system. Applicant recognizes that claim 3 of the ‘365 patent references disk players. However, claim 3 does render the claims of the present application obvious.

Accordingly, Applicant hereby requests the Examiner reconsider and withdraw the above double patenting rejection.

Conclusion:

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. §1.111
Application Number: 09/931,866

Our Ref: Q65778
Art Unit: 2644

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



Terrance J. Wikberg
Registration No. 47,177

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

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